



1644

Patent
Attorney's Docket No. 012712-652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **BOX: NON-FEE AMENDMENT**
Randolph J. NOELLE et al)
Application No.: 09/223,634) Group Art Unit: 1644
Filed: December 31, 1998) Examiner: P. Gambel
For: TREATMENT OF CELL MEDIATED)
AUTOIMMUNE DISORDERS)

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AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.

☐ Also enclosed is _____

☒ A statement(s) claiming small entity status
☐ are also enclosed ☒ were submitted previously.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	10	MINUS 20 =	0	× \$18.00 (103) =	
Independent Claims	2	MINUS 3 =	0	× \$78.00 (102) =	
If Amendment adds multiple dependent claims, add \$260.00 (104)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					


☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No.02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
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Date: March 20, 2000



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For: TREATMENT OF T CELL)
MEDIATED AUTOIMMUNE)
DISORDERS)

ELECTION AND AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action [restriction requirement] mailed on February 18, 2000, in connection with the above-identified application, Applicants elect with traverse treatment of diabetes using an antibody that binds gp39. The Restriction Requirement is respectfully traversed on the basis that Applicants have made a generic invention, namely the discovery that T-cell mediated autoimmune diseases may be effectively treated by administration of gp39 antagonists, e.g., antibodies specific to gp39. Therefore, upon a determination that treatment of diabetes is allowable, the Examiner should extend the search to non-elected species, namely treatment of oophoritis or thyroiditis. Applicants